

TWENTY-FOURTH DAY.

(Saturday, March 7, 1931.)

The House met at 9:30 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Minor.

The roll was called and developed the fact that there was not a quorum present.

Mr. Bond moved a call of the House for the purpose of securing a quorum, and the call was duly ordered.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Bond, the Sergeant-at-Arms was instructed to bring in all absent members within the city who are not ill.

The roll was again called and the following members were present:

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| Mr. Speaker. | Fisher. |
| Adams of Jasper. | Ford. |
| Adamson. | Gilbert. |
| Adkins. | Giles. |
| Akin. | Goodman. |
| Albritton. | Graves. |
| Alsup. | Grogan. |
| Anderson. | Harrison |
| Baker. | of El Paso. |
| Bond. | Harrison |
| Bounds. | of Waller. |
| Bradley. | Hatchitt. |
| Brice. | Hefley. |
| Brooks. | Herzik. |
| Bryant. | Holder. |
| Burns of Walker. | Holland. |
| Burns | Holloway. |
| of McCulloch. | Hoskins. |
| Carpenter. | Hughes. |
| Caven. | Jackson. |
| Claunch. | Johnson |
| Cox of Lamar. | of Dallam. |
| Cox of Limestone. | Johnson of Morris. |
| Cunningham. | Jones of Shelby. |
| Dale. | Jones of Atascosa. |
| Daniel. | Keller. |
| Davis. | Kennedy. |
| DeWolfe. | Laird. |
| Donnell. | Lasseter. |
| Dowell. | Lemens. |
| Dunlap. | Leonard. |
| Duval. | Lilley. |
| Dwyer. | Long. |
| Engelhard. | McDougald. |
| Farmer. | McGill. |
| Farrar. | Magee. |
| Finn. | Martin. |

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| Mathis. | Stephens. |
| Mehl. | Steward. |
| Moffett. | Sullivant. |
| Munson. | Tarwater. |
| Nicholson. | Terrell |
| O'Quinn. | of Val Verde. |
| Ramsey. | Towery. |
| Ray. | Van Zandt. |
| Richardson. | Vaughan. |
| Rountree. | Veatch. |
| Sanders. | Wagstaff. |
| Satterwhite. | Walker. |
| Savage. | Warwick. |
| Scott. | West of Coryell. |
| Shelton. | West of Cameron. |
| Sherrill. | Wyatt. |
| Smith of Wood. | Young. |
| Sparkman. | |

Absent.

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| Beck. | McGregor. |
| Bedford. | Morse. |
| Coombes. | Olsen. |
| Dodd. | Petsch. |
| Kayton. | Wiggs. |

Absent—Excused.

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| Adams of Harris. | Lee. |
| Barron. | Lockhart. |
| Boyd. | McCombs. |
| Coltrin. | Metcalf. |
| Elliott. | Moore. |
| Ferguson. | Murphy. |
| Forbes. | Patterson. |
| Fuchs. | Pope. |
| Greathouse. | Ratliff. |
| Hanson. | Reader. |
| Hardy. | Rogers. |
| Harman. | Smith of Bastrop. |
| Hill. | Stevenson. |
| Hines. | Strong. |
| Howsley. | Terrell |
| Hubbard. | of Cherokee. |
| Johnson | Turner. |
| of Dimmit. | Weinert. |
| Justiss. | Westbrook. |

A quorum was announced present.

Prayer was offered by the Rev. John W. Holt, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Metcalfe and Mr. Ratliff for today, on motion of Mr. DeWolfe.

Mr. Johnson of Dimmit and Mr. Hubbard for today, on motion of Mr. Ray.

Mr. Justiss for today, on motion of Mr. Bounds.

Mr. Greathouse for today, on motion of Mr. Daniel.

Mr. Elliott for today, on motion of Mr. Hefley.

Mr. Reader for today, on motion of Mr. Mehl.

Mr. Patterson for today, on motion of Mr. Cunningham.

Mr. Stevenson for today, on motion of Mr. Shelton.

Mr. Fuchs for today, on motion of Mr. Shelton.

Mr. Hardy for today, on motion of Mr. Wagstaff.

Mr. Hill for today, on motion of Mr. Walker.

Mr. McCombs for today, on motion of Mrs. Hughes.

Mr. Howsley for today, on motion of Mr. Anderson.

Mr. Pope for today, on motion of Mr. Steward.

Mr. Barron for today, on motion of Mr. Hatchitt.

Mr. Hines and Mrs. Moore for today, on motion of Mr. Farrar.

Mr. Harman, Mr. Adams of Harris and Mr. Rogers, on motion of Mr. Vaughan.

Mr. Turner for today, on motion of Mr. Burns of Walker.

Mr. Murphy for today and next Monday, on motion of Mr. Ford.

Mr. Westbrook for today, on motion of Mr. Lilley.

Mr. Lockhart for today, on motion of Mr. Davis.

Mr. Smith of Bastrop for today, on motion of Mr. Brice.

Mrs. Strong for today, on motion of Mr. Holder.

Mr. Weinert for today, on motion of Mr. Mathis.

Mr. Lee for today, on motion of Mr. Burns of McCulloch.

Mr. Coltrin for today, on motion of Mr. Cox of Lamar.

Mr. Terrell of Cherokee for today, on motion of Mr. Adamson.

Mr. Hanson for today, on motion of Mr. Richardson.

Mr. Ferguson for today, on motion of Mr. Cox of Limestone.

The following member was granted leave of absence on account of illness:

Mr. Boyd for today and Monday, Tuesday and Wednesday of next week, on motion of Mr. DeWolfe.

SENATE BILL ON FIRST READING.

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

Senate bill No. 311, to the Committee on Revenue and Taxation.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Harman, Mr. Ford and Mr. Westbrook:

H. B. No. 811, A bill to be entitled "An Act to amend Section 1 of Chapter 31 of the Acts of the Second Called Session of the Forty-first Legislature, relating to the qualifications and duties of the county board of education of certain counties, and declaring an emergency."

Referred to Committee on Education.

By Mr. Caven:

H. B. No. 812, A bill to be entitled "An Act repealing Chapter 42, Acts of the First Called Session of the Thirty-seventh Legislature (the same known as the Davidson road law), in so far as the same applies to Harrison county, and creating a more efficient road system for Harrison county, Texas; creating the office of county engineer, prescribing the method of his appointment, and providing for his oath and bond, prescribing his powers, duties, qualifications, term of office, salary, and the method of his removal, etc., and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. McGregor and Mr. Giles:

H. B. No. 813, A bill to be entitled "An Act to increase and fix the salary of the superintendent of public instruction of counties having a population of 77,777 to 98,000 according to the last Federal Census and a scholastic population of at least 19,022, and not exceeding 20,000, as shown by the scholastic report for the school year 1930-31; providing for office expenses; repealing all laws

and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Holland:

H. B. No. 814, A bill to be entitled "An Act providing that no person asserting a claim to any land by reason of the ten-year statute of limitations shall offer in evidence such claim in any court, unless there shall have been filed for record for ten years in the county where the land is situated a duly acknowledged statement regarding such claim, authorizing the county clerk to keep a 'squatters' title record book' for recording therein such claims, providing that the act shall not apply where the claim to title is based on color of title, providing the act shall not apply to suits now pending, or whose such claim is filed within thirty days after this act takes effect, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Keller:

H. B. No. 815, A bill to be entitled "An Act amending Article 7258a, Vernon's Annotated Revised Civil Statutes of Texas (same being Senate bill No. 152 of the Second Called Session of the Forty-first Legislature), regarding the issuance of certificates showing the condition of delinquent taxes, and providing that said certificates shall be binding on and enforceable against the tax collector issuing same and authorizing the tax collector in the counties affected to make a separate bond covering the same, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Cunningham:

H. B. No. 816, A bill to be entitled "An Act to further equalize values for taxation purposes, and to provide for separate renditions for State and county purposes, and prescribing the duties of tax assessors, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Hefley:

H. B. No. 817, A bill to be entitled "An Act repealing Article 7065n, numbered subdivisions or paragraphs (1), (2), (3), (4), (5), (6), (7), of Chapter 88, Section 17, so as to

eliminate all exemptions from the payment of the gasoline tax, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Carpenter:

H. B. No. 818, A bill to be entitled "An Act authorizing the commissioners courts of all counties adjacent to the Gulf of Mexico to issue time warrants bearing interest not exceeding eight per cent per annum to be used in the payment either by outright purchase, or after condemnation proceedings, of lands for right of way purposes for an intercoastal canal, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Nicholson, Mr. McDougald and Mr. O'Quinn:

H. B. No. 819, A bill to be entitled "An Act granting to the city of Port Arthur, Texas, all rights, title and interest of the State of Texas to certain land lying and being situated in and under the waters of Lake Sabine, and granting to said city of Port Arthur, Texas, the right, power and authority to fill in and upon such submerged land with sand, dredge spoil or other material, and granting to said city of Port Arthur the right to take from Lake Sabine such sand, dredge spoil or other material as may be necessary or desirable for such filling, etc., and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mrs. Hughes, Mr. McCombs, Mr. Savage, Mr. Coombes, Mr. Keller and Mr. Holder:

H. B. No. 820, A bill to be entitled "An Act to provide that counties having a population of not less than 325,700 and not more than 325,900 shall have the authority to establish, own and operate a parental home and school for the care and training of dependent and delinquent youth, providing for defraying the expenses thereof, the administration of said home, providing for the commitment of individuals, validating bonds issued for such purpose, and declaring an emergency."

Referred to Committee on Counties.

By Mr. Adams of Jasper:

H. B. No. 821, A bill to be entitled "An Act ratifying and validating the

Buna Independent School District, ratifying and validating the proceedings of the boards of county school trustees of Jasper county and Orange county, respectively, in annexing territory thereto, ratifying and validating the elections held in Buna Independent School District and Gum Slough Common School District, annexing said Gum Slough Common School District to Buna Independent School District, ratifying and validating the petitions and actions thereon by the board of trustees of Buna Independent School District and also by the board of county school trustees of Orange county annexing territory, being portions of other common school districts, to Buna Independent School District, defining and describing Buna Independent School District after such annexations, and declaring an emergency."

Referred to Committee on Education.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Daniel, House bill No. 793 was ordered not printed.

On motion of Mr. Johnson of Morris, House bills Nos. 490 and 717 were ordered not printed.

On motion of Mr. Holloway, House bill No. 758 was ordered not printed.

On motion of Mr. Brice, House bill No. 808 was ordered not printed.

On motion of Mr. Caven, House bill No. 804 was ordered not printed.

On motion of Mr. Bradley, Senate bill No. 46 was ordered not printed.

On motion of Mr. Alsup, House bill No. 736 was ordered not printed.

On motion of Mr. McDougald, House bills Nos. 795 and 796 were ordered not printed.

On motion of Mr. Van Zandt, Senate bill No. 136 was ordered not printed.

BILL RECOMMENDED.

On motion of Mr. Terrell of Val Verde, House bill No. 332 was recommended to the Committee on Insurance.

SPECIAL ORDER SET.

On motion of Mr. Satterwhite, by unanimous consent, Senate bill No. 310 was set as a special order for 10 o'clock a. m. next Wednesday.

RESOLUTIONS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice

thereof and their captions had been read severally, the following enrolled resolutions:

H. C. R. No. 32, Relative to erection monument to J. T. Robison.

H. C. R. No. 31, Relative to Legislative Reference Bureau.

TO PERMIT ERECTION OF COLD DRINK STAND IN LAND OFFICE.

Mr. Gilbert offered the following resolution:

H. C. R. No. 35, To provide for the erection of a confectionery in Land Office.

Be it resolved by the House of Representatives of the Forty-second Legislature of the State of Texas, the Senate concurring, That the Superintendent of Public Buildings and Grounds (or the Board of Control) be, and is hereby, authorized to permit Oscar Raines, who is a blind citizen of Texas, to erect, maintain and operate a confectionery and cigar stand in the lobby of the ground floor of the State Land Office Building, located in Austin, Texas, supervision of the stand to be under Board of Control.

Signed—Gilbert, Holland, Laird, Jackson, Dowell, Bond, Wyatt, Dale, Hanson, Ferguson, Cox of Limestone, Satterwhite, Richardson, Fisher, Burns of McCulloch, Coltrin, Hoskins, Graves, Terrell of Cherokee, Cox of Lamar, Rogers, Dodd, Bryant, Baker, Lockhart, Brice, Akin, Mrs. Strong, Herzik, Mathis, Weinert, Davis, Smith of Bastrop, Scott, Johnson of Dallam, Towery, Adamson, Lee, Sullivant, Van Zandt, Carpenter, Giles, Lasseter, Johnson of Morris, Holloway, West of Cameron, Olsen, Barron, Daniel, Adams of Harris, Finn, Hill, Farrar, Engelhard, Munson, Grogan, Murphy, Forbes, Cunningham, Elliott, Hines, Shelton, Sparkman, Harrison of El Paso, Walker, Dwyer, Martin, Mehl, Terrell of Val Verde, Ramsey, Jones of Shelby, Justiss, Bounds, Boyd, Burns of Walker, Alsup, Wiggs, Adkins, Reader, Sherrill, Ray, Ratliff, Kennedy, Hubbard, Towery, Leonard.

The resolution was read second time.

Mr. Holder moved that the resolution be referred to the Committee on Public Lands and Buildings.

Mr. Vaughan raised a point of order on further consideration of the

resolution, on the ground that the time for the consideration of resolutions has expired.

The Speaker sustained the point of order.

HOUSE BILL NO. 660 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 660, A bill to be entitled "An Act to validate the incorporation of the city of Groveton, and to declare valid all acts pertaining to the incorporation of said city, and to declare valid and binding each and every of the official acts of the mayor and aldermen sitting as a city council since the incorporation of said city of Groveton, and to ratify, approve, confirm and declare enforceable all levies and assessments and ad valorem taxes heretofore made by the governing body of said city of Groveton not in excess of the limit provided by law, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 750 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 750, A bill to be entitled "An Act amending Section or Subdivision 12 of Article 199 of the Revised Civil Statutes of 1925, and changing the times of holding the terms of the district court in the Twelfth Judicial District of Texas; and changing the length of the terms of the district courts of certain of the counties in said judicial district, etc., and declaring an emergency."

The bill was read second time and was passed to engrossment.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, March 7, 1931.
Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate bill No. 39 by the following vote: 29 yeas, 0 nays. Concurred in House amendments to Senate bill No. 239 by the following vote: 29 yeas, 0 nays.

The Senate has refused to concur in House amendments to Senate bill No. 13, and requests a free conference committee on part of the House. The Senate has appointed the following members on the free conference committee on part of the Senate:

Senators Purl, DeBerry, Rawlings, Poage and Loy.

The Senate has appointed a free conference committee on part of the Senate to consider House bill No. 398:

Senators Beck, Martin, Moore, Thomason and Oneal.

Respectfully,
JNO. B. DuPRIEST,
Assistant Secretary of the Senate.

HOUSE BILL NO. 756 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 756, A bill to be entitled "An Act providing for the election of a district attorney in the Eighteenth Judicial District of Texas, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 16 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 16, A bill to be entitled "An Act validating all proceedings heretofore had and taken to organize, create or establish any and all drainage districts within this State under the provisions of Title 128, Chapters 7 and 8 of the Revised Civil Statutes, 1925, towit, Articles 8097 to 8197, both inclusive, of such Revised Civil Statutes, 1925, and validating and approving all orders heretofore made, and proceedings had by or before the commissioners courts of this State to so organize, create, or establish any and all such drainage districts aforesaid, etc., and declaring an emergency."

The bill was read second time.

On motion of Mr. Hatchitt, the bill was laid on the table subject to call.

HOUSE BILL NO. 17 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 17, A bill to be entitled "An Act to provide for the nomination of directors of water improvement districts to serve under the provisions of Chapter 2, Title 128, of the Revised Civil Statutes of Texas, 1925, and to repeal all laws in conflict therewith."

The bill was read second time.

On motion of Mr. Hatchitt, the bill was laid on the table subject to call.

HOUSE BILL NO. 35 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 35, A bill to be entitled "An Act to amend Article 2185 of the Revised Statutes relating to the requisites of the charge of the court to the jury, and to repeal all laws and parts of laws in conflict with this act, and in declarnig an emergency, and providing that this act shall take effect and be in force from and after its passage."

The bill was read second time.

Mr. Holland offered the following (committee) amendment to the bill:

Amend House bill No. 35 by inserting in line 19 of body of the bill before the word "were" the following: "And the reasons therefor."

The amendment was adopted.

Mr. Harrison of El Paso offered the following amendment to the bill:

Strike out the word "record," line 27, page 1, and insert the word "transcript."

The amendment was adopted.

House bill No. 35 was then passed to engrossment.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Laird, the following bills were ordered not printed: House bills Nos. 273, 342 and 723.

NOTICE GIVEN.

Mr. Smith of Wood gave notice that he would, on next Monday, move to take up for consideration at that time House concurrent resolution No. 23, the resolution having heretofore been read second time.

ADJOURNMENT.

On motion of Mr. Vaughan, the House, at 12 o'clock m., adjourned until 9:30 o'clock a. m. next Monday.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have filed favorable reports on bills, as follows:

Agriculture: House bill No. 553.

Counties: House bills Nos. 758, 795 and 796.

Criminal Jurisprudence: House bill No. 326.

Education: House bills Nos. 757, 341 and 754; Senate bill No. 232.

Game and Fisheries: House bills Nos. 273, 342, 480, 490, 717, 723, 736, 793 and 808.

Municipal and Private Corporations: House bills Nos. 725 and 433; Senate bill No. 178.

Judicial Districts: Senate bill No. 136.

State Affairs: Senate bill No. 46; House bill No. 804.

The following committees have filed minority reports on bills, as follows:

Judiciary: House bill No. 591.

Constitutional Amendments: House joint resolution No. 29.

Insurance: House bill No. 190.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, March 6, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 32, To memorialize life of J. T. Robison.

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.

Committee Room,

Austin, Texas, March 6, 1931.

Hon. Fred H. Minor, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 31, Relative to Interstate Legislative Reference Bureau.

Have carefully compared same and find it correctly enrolled.

COX of Lamar, Chairman.